

EXHIBIT 1

From: davidjosephus@aol.com
To: [Zhen Pan](#)
Cc: [Strauss, Caitlin P.](#); [Michael Diaz](#); [Brant C. Hadaway, B.C.S.](#); [Prince-Alex Iwu](#); [Aylin Hovispo](#)
Subject: [EXTERNAL] Re: CONFERRAL - Setting Aside Clerk's Default against AliExpress & Extension of Time to Respond to the Complaint
Date: Friday, January 10, 2025 7:11:09 PM
Attachments: [image001.jpg](#)
[image788770.jpg](#)
[image002.png](#)
[image146470.png](#)

Dear Zhen,

Several of your statements below are not accurate. Aliexpress was receiving mail at 400S El Camino Real #400 San Mateo, CA 94402 when this case was first filed. Although they were receiving mail at that stated address they didn't have a registered agent to accept service at that address (and/or I was unable to complete service at that address) 'Service was accepted' by Alibaba Group's registered agent. ALL correspondence in this matter continued to be copied and sent to 400S El Camino Real #400 San Mateo, CA 94402. Then several months ago I received "Non Deliverable Statues" for the above mentioned address and "Unable to Forward," Under information and belief I was lead to send a correspondence to Alibaba's current CA address wherein it is understood Aliexpress is also excepting there correspondences via mail and phone contact. I have never stated that AliExpress and Alibaba Group are "the same."

On Friday, January 10, 2025 at 03:37:05 PM EST, Zhen Pan <zpan@diazreus.com> wrote:

David,

I appreciated you called our office to discuss this matter. During our conversation, you advised that you reviewed our motion to set aside the clerk's default filed today, that you would oppose it, and that you would appeal and "take all actions if necessary to enforce your rights."

As to the issue of service of process, you acknowledged that you served the process upon Alibaba Group and never served AliExpress. You explained that AliExpress does not have a valid address and everything you mailed to them was returned. You also shared your belief that AliExpress and Alibaba Group are "the same."

We note your position and will litigate this matter in court. As I advised you at the end, in the event AliExpress prevails in this litigation, we will seek to recover all legal fees and costs incurred by AliExpress from you.

Sincerely,

Zhen

Zhen Pan
Associate Attorney



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MEMBER FIRMS OR AFFILIATES.

From: Zhen Pan <zpan@diazreus.com>

Sent: Thursday, January 9, 2025 6:18 PM

To: davidjosephus@aol.com

Cc: Michael Diaz <MDiaz@diazreus.com>; Marta Colomar Garcia <mcolomar@diazreus.com>; Brant C. Hadaway, B.C.S. <bhadaway@diazreus.com>; Javier Coronado <jcoronado@diazreus.com>; Prince-Alex Iwu <piwu@diazreus.com>; Aylin Hovispo <ahovispo@diazreus.com>

Subject: CONFERRAL - Setting Aside Clerk's Default against AliExpress & Extension of Time to Respond to the Complaint

David,

Our law firm was recently retained to represent AliExpress in the matter *Catanzaro v. Walmart Stores, Inc. et al.*, 3:22-cv-01768-JFS-DFB, pending before the Middle District Court of Pennsylvania. Our local counsel, Saul Ewing, will be filing an appearance soon.

We note the clerk's default entered against our client [ECF 85], as well as your pending Motion for Default Judgment [ECF 93, 94]. Please advise whether you would agree to (1) set aside the clerk's default, (2) withdraw the Motion, and [3] consent to an order requiring our client to respond to the complaint by February 10, 2024.

Thank you.

Zhen

Zhen Pan

Associate Attorney



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